

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION

AMANDA BOSARGE, individually and on
behalf of their minor children, et al.,

Plaintiffs,

-against-

DANIEL P. EDNEY, in his official capacity
as the State Health Officer, et al.,

Defendants.

Civil Action No. 1:22-cv-00233-
HSO-BWR

**MEMORANDUM OF AUTHORITIES IN SUPPORT OF PLAINTIFFS' OPPOSITION
TO ATTORNEY GENERAL LYNN FITCH'S MOTION TO DENY OR CONTINUE OR,
ALTERNATIVELY, TO STAY OR HOLD IN ABEYANCE, PLAINTIFFS' MOTION
FOR SUMMARY JUDGMENT [DKT. # 43].**

Plaintiffs believe that the Court can enter summary judgment in their favor for the same reasons they believe the Court can enter final judgment pursuant to Fed. R. Civ. P. 65(a)(2), and hereby incorporated by reference as if fully set forth herein the arguments with regard to same from Section III of the *Memorandum of Authorities in Support of Plaintiffs' Reply to Defendant's Opposition to Plaintiffs' Motion for a Preliminary Injunction and Motion to Consolidate the Preliminary Injunction Hearing with a Trial on the Merits*, filed contemporaneously with this opposition. (Dkt. 57 at Section III).

Plaintiffs request that the Court grant the motion for summary judgment. In the event the Court believes additional discovery is needed prior to ruling on the motion for summary judgment, Plaintiffs request that the Court hold the motion in abeyance for 60 days during which Plaintiffs

will request expedited discovery and will produce any requested documents forthwith and will make Plaintiffs available for deposition as soon as practicable. Plaintiffs respectfully request that any abeyance does not cause delay in a decision on the pending motion for preliminary injunction (Dkt. 3).

Dated: December 5, 2022

Respectfully submitted,

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